

SEND ORIGINAL TO
RETURN MAIL

CURRENT ADDRESS:

KEVIN B JOHNSON

140 A TONY DIAZ DR

WOODLAND, CA 95776

ALL CORRESPONDENCE

IF POSSIBLE SEND COPY TO -MAIN

C.C. TO: KEVIN JOHNSON

3053 FREEMONT BLVD #116

SAC, CA 95818

UNITED STATES DISTRICT COURT
EASTERN DISTRICT of CALIFORNIA

JOHNSON, K

PLAINTIFF

VS

UNITED STATES (FBI)

DEFENDANT

CASE # 2:22-0727

0727m } WILL
TUNED } HAVE
TO VERIFY
CASE #

JURY TRIAL YES

FILED

JUN 16 2022

MOTION TO PRESERVE THE
EVIDENCE

+

CRIME SCENE

NOW COMES THE PLAINTIFF, KEVIN B. JOHNSON,
IN THIS BIVENS ACTION, ASKING & PRAYING, THAT
YOUR HONOR PRESERVE THE EVIDENCE & CRIME SCENE
SINCE THEY ARE PRESERVABLE & ABOUT TO BE
DESTROYED.

(1)

1 THE EVIDENCE IN THIS BIVENS ACTION IS MY
 2 2019 NISSAN SENTRA, WHICH IS ALSO THE CRIME SCENE
 3 SINCE ILLEGAL GPS DEVICES MAY HAVE BEEN ATTACHED
 4 TO IT BY THE PUBLIC. SINCE FBI AGENTS, ACTING
 5 OUTSIDE THEIR DUTY AS AGENTS, AS A CIVILIAN AND GAVE
 6 THE INFORMATION ^{THAT ONLY AN AGENT IS PRIVY TO} ~~WHILE ACTING AS AN AGENT~~ & USING HIS/HER
 7 INVESTIGATIVE AUTHORITY TO GATHER INFO ON ME &
 8 DIVULGE IT TO THE PUBLIC. ALSO MAY HAVE GIVEN THE
 9 PUBLIC THE SAME TRACKING ABILITY AN AGENT HAS
 10 TO INCITE & BE THE CAUSE OF THE MALICIOUS STALKING
 11 & MALICIOUS INVASION OF SOLITUDE I HAVE BEEN AFFLICTED
 12 WITH FOR OVER 2 YRS.

13 THIS IS ONLY A LITTLE BIT OF THE OUTRAGEOUS
 14 MISCONDUCT OF AGENTS THAT I PROVIDE, THERE IS MORE
 15 TO BE REVEALED. SINCE THEIR (FBI) RETALIATION IS IN
 16 FULL STRIDE, I'M INCARCERATED, 2ND TIME THIS YEAR,
 17 BY BEING TARGETED BY POLICE & THEIR ILLEGAL STOPS
 18 THAT VIOLATE MY 4TH & 14TH AMENDMENT RIGHTS WHILE ALSO
 19 VIOLATING MY 2ND AMENDMENT RIGHT OF GUN OWNERSHIP
 20 & ARRESTING ME FOR UNREGISTERED FIRE ARM THAT A RESULT
 21 OF CALIFORNIA DOJ EMPLOYEES INFLUENCED BY THE
 22 FBI TO PLAY GAMES & VIOLATE MY RIGHT TO GUN
 23 OWNERSHIP.

24 ME CARRYING MY FIRE ARM IS A RESULT OF DURESS
 25 CREATED BY THIS MALICIOUS STALKING & MALICIOUS

1 INVASION OF SOLITUDE BY THE PUBLIC & I BELIEVE INCITED
 2 BY LAW ENFORCEMENT. I'AM IF FEAR OF MY LIFE BY THESE
 3 UNKNOWN INVADERS AS I DRIVE MY CAR (WHICH IS ALSO MY
 4 HOME DUE TO ECONOMIC HANDSHIP CREATED BY THE FEDS).
 5 CAN YOU IMAGINE HOW UNCOMFORTABLE + FEARFUL ~~I AM~~ ^{I'AM}
 6 WHEN I TRY TO GET SOME SLEEP. I CAN NOT SLEEP
 7 WHICH IS ~~WHY~~ ^{WHY} I DRIVE SO MUCH UNTIL I FIND A
 8 PLACE FAR OUTSIDE CITY AREAS THAT I FEEL
 9 COMFORTABLE ENOUGH TO SLEEP + I SLEEP FOR
 10 VERY SHORT ~~PERIODS~~ PERIODS OF TIME.

11 * LAW STATES: NO CITIZEN SHALL TRACK ANOTHER
 12 CITIZEN FOR THE PURPOSE OF INTERCEPTION.

13 THE GPS SYSTEM ON MY CAR, THE ILLEGALLY PLACED
 14 GPS TRACKING DEVICES PLACED ON MY CAR BY THE PUBLIC,
 15 THE TRACKING OF MY IPHONE, BLUE IPHONE, BLUE COMPUTER
 16 + CHROMEBOOK ALL OF WHICH SIT IN THE WOODLAND
 17 POLICE INPOUND ARE ALL THE EVIDENCE IN THIS CASE +
 18 MY CAR (2015 NISSAN SENTRA) IS A CRIME SCENE.

19 I PRAY YOUR HONOR WILL PRESERVE MY CAR THE
 20 WOODLAND INPOUND WILL ONLY KEEP MY CAR UNTIL
 21 JUNE 23, 2022. MY CAR IS A CRIME SCENE + MY BLUE IPHONE,
 22 BLUE COMPUTER, FLASH DRIVE IN THE CONSOLE + CHROMEBOOK ARE
 23 ALL EVIDENCE TO THIS CASE. ALL FROM HAVING PRIOR CONVER-
 24 SATION WITH POLICE TWO TRUCK PERSONNEL THEY INDICATE THAT
 25 THAT LAW ENFORCEMENT ON OCCASIONS REMOVE ITEMS + SOMETIMES
 ADD ITEM TO CARS IN STORAGE - THAT CONCERNS ME, (3)

1 MATTER OF FACT THIS HIGHLY CONCERNING. SO THIS MOTION
 2 IS MADE ON THE GROUND THAT MY EVIDENCE + CRIME
 3 SCENE ARE PRESERVABLE + IMMENSELY RELATED + CONSISTENT
 4 WITH WHAT I SAY + MY THEORY OF THE CASE. I PRAY
 5 YOUR HONOR WILL PURSUE JUSTICE + DEMOCRACY BY
 6 PRESERVING THE EVIDENCE + CRIME SCENE,

7 ALS ANY PROSECUTION ATTEMPT BY FED OR LOCALS
 8 RELATING TO THIS ISSUE:

9 SHOCK THE CONSCIENCE STANDARD

10 IN *ROCHIN V. CALIFORNIA*, 342 U.S. 165, 166, 72 S. Ct.
 11 205, 96 L. Ed. 183 (1952), the high court held that
 12 convictions obtained by government actions which "shock
 13 the conscience" violated the federal Due Process Clause.
 14 Decisions of the Supreme Court emphasize that extreme
 15 government conduct is required under *Rochin* to satisfy
 16 the "shock the conscience" standard for a violation of substantive
 17 due process. (SEE, e.g., *U.S. v. SALERNO*, 481 U.S. 739, 746, 107 S.
 18 Ct. 2095, 95 L. Ed. 2d 697 (1987) (substantive due process
 19 prevents governmental behavior that is conscience shocking
 20 or interferes with rights implicit in concept of ordered
 21 liberty); *Breithaupt v. Abram*, 352 U.S. 432, 435, 77
 22 S. Ct. 408, 1 L. Ed. 2d 448 (1957) (conduct must be
 23 "so 'brutal' and 'offensive' that it did not comport with
 24 traditional ideas of fair play decency").)

★ I SHOULD BE GIVEN A
MEDAL OF HONOR FOR THE
RESTRAINT I'VE SHOWN
WHILE UNDER IMMENSE DURESS
AND FEAR FOR MY LIFE.
NOT ONCE DID I BRANDISH MY
FIRE ARM, POINT IT AT ANY
INVADER, WHILE THEY DID NOT
SHOW ME THE SAME RESPECT
& BRANDISH GUN AS I SPOKE TO
THEM ABOUT THEIR ^{ILLEGAL} ~~ILLEGAL~~ MALICIOUS
ACTIONS. EVIDENCE WILL PROVE THIS (5)

CALIFORNIA STANDARD

1 IN PEOPLE V. SMITH, 31 CAL. 4TH 1207, 7 CAL Rptr. 3d 589, 80
 2 P. 3d 662 (2003) the court stated the prerequisites for
 3 finding of outrageous government conduct (1) whether
 4 law enforcement manufactured a crime that otherwise would
 5 not likely have occurred, or merely involved themselves in
 6 an ongoing criminal activity, (2) whether law enforcement
 7 officers themselves engaged in criminal or improper ~~conduct~~ ^{conduct}
 8 repugnant to a sense of justice, (3) whether the defendant's
 9 reluctance to commit the crime is overcome by appeals to
 10 humanitarian instincts such as sympathy or past friendship,
 11 by temptation of exorbitant gain, or by persistent ~~solicitation~~
 12 solicitation in the face of unwillingness; and (4)
 13 whether the record reveals simply a desire to
 14 obtain a conviction with no motive is to prevent
 15 further crime or protect the populace
 16

17 The California "cases where courts have concluded the
 18 Government's + local Police conduct barred pro-
 19 secution because it was so outrageous have in-
 20 volved situations where the government + local Police
 21 interfered with a defendant's right to effective
 22 counsel or created, encouraged, and condoned lengthy
 23 unlawful activity.

24 I bring these point to the attention of Your
 25 Honor because I believe law enforcement intentionally
 26

1 gave the public information that only the FBI
 2 is going too + thus if there is an investigation
 3 in progress, which I refer to as search +
 4 destroy mission, this is an example of misconduct
 5 + part of the FBI is not protecting the integrity
 6 of the investigation - properly coined "Search +
 7 Destroy mission", in my case. So the FBI is
 8 now officially in the business of attacking Americans.
 9 This MOTION IS BASED ON THE FACT THAT I'M
 10 AFFLICTED WITH MASSIVE MALICIOUS STALKING +
 11 MALICIOUS INVASION OF SOLITUDE INCITED BY FBI
 12 OR LOCAL LAW ENFORCEMENT. SO THE GPS SYSTEM
 13 WILL REVEAL THE MASSIVE MALICIOUS ACT THAT
 14 HAVE ME FEARING IMMINENT THREAT ^{+ DEATH} FOR WHAT IS THE
 15 PURPOSE OF THEIR WILLINGNESS TO BREAK THE LAW ALSO
 16 I HAVE HAD GUN PULLED ON ME OR BRANDISHED WHEN
 17 I APPROACHED THESE INVADERS + MY BLUE IPHONE HAS
 18 ALL THE PROOF BUT IT'S IN THE POLICE INCHARGE + THAT'S
 19 THE GROUNDS OF THIS MOTION, TO PRESERVE THE EVIDENCE
 20 + CRIME SCENE SINCE THEY'RE PRESERVABLE. MY CAR
 21 IS A CRIME SCENE. STALKING IS A MAJOR PROBLEM
 22 + SOME HAVE LINKED IT TO MASS SHOOTINGS. WHY DO
 23 PEOPLE HAVE TO DIE BEFORE PROPER OBJECTIVE ACTION
 24 IS TAKEN.
 25

1 THIS STALKING HAS ME FEARING DEATH EVERYDAY. ITS
 2 POSSIBLE IVE BEEN PUT ON THAT BLACK LIST OF O.G.S. (OR-
 3 GANIZED ^{GANG} STALKING). THE PHONE CALLS I GET 4 or 5 TIMES
 4 A DAY + NOONE SAYS ANYTHING WHEN I ANSWER THE PHONE,
 5 THE DRONES FLYING BELOW THE 50 FT LIMIT SET BY THE
 6 FCC. THE PUBLIC PLACING ILLEGAL TRACKING DEVICES
 7 ON MY CAR. I AM BEING DEPRIVED R.E.M. SLEEP BECAUSE
 8 I HAVE TO KEEP MOVING SINCE I LIVE IN MY CAR, TO
 9 GET AWAY FROM THE MALICIOUS INTRUDERS. THIS IS
 10 ALSO WHY I CARRY MY WEAPON & HAVE A LEGAL RIGHT
 11 TO ALTHOUGH THEY HAVE VIOLATED MY 2nd AMENDMENT
 12 RIGHT BY NOT TELLING ME WHY THEY DENIED
 13 MY GUN PURCHASE BECAUSE THERE WAS NO REASON
 14 TO DENY IT PRIOR TO THESE RECENT GUN CHANGES.
 15 THIS IS THE OUTRAGEOUS CONDUCT I SUFFER
 16 FROM. I PRAY YOUR HONOR PRESERVES THE CRIME
 17 SCENE. MY CAR IS IN THE WOODLAND POLICE OR
 18 SHERIFF & HWY PATROL IN POWERO. THEY WILL GET
 19 RID OF MY CAR ON JUNE 23rd, 22. SO I PRAY
 20 YOUR HONOR MOVES ON THIS PRESERVATION OF JUSTICE.
 21 MY CAR IS A 2019 NISSAN SENTRA, SILVER IN COLOR
 22 I BELIEVE I MAY HAVE \$100,00 FOR THE FEE'S BUT
 23 NOT MUCH MORE. IF PAYMENT ARRANGEMENTS CAN BE MADE
 24 FOR ANYTHING OVER \$100,00 DOLLARS THAT WOULD BE APPRECIATED
 25

8

6/11/22
Ramon B Johnson